

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,

HON. LAURIE J. MICHELSON  
Case No. 23-20434

Vs.

ANDREW NICKELS,  
  
Defendant.

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**STIPULATION TO CONTINUE THE FINAL PRETRIAL  
AND TRIAL AND FIND EXCLUDABLE DELAY**

The parties agree to adjourn the November 27, 2023 final pretrial to January 5, 2024 and continue the triad date from December 12, 2023 to January 23, 2024 at 8:30 a.m. The parties further agree that the time period between November 27, 2023 to January 23, 2024 qualifies as excludable delay under the Speedy Trial Act, 18 USC. 3161(h)(7), because the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy trial. As a result, failure to grant a continuance could result in a miscarriage of justice. Additionally, failure to grant this continuance would unreasonably deny counsel for the Defendant the reasonable time necessary for

effective preparation, taking into account the exercise of due diligence.

The parties therefore agree to a continuance of the final pretrial and trial date to January 5, 2024 and January 23, 2024, and that the delay caused by this continuance should be deemed excludable time under 18 USC 3161(h)(7)(A) because the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

/s/Frances Carlson with consent

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Dated: November 17, 2023

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

ANDREW NICKELS,

Defendant.

HON. LAURIE J. MICHELSON

Case No. 23-20434

**ORDER GRANTING CONTINUANCE  
AND FINDING EXCLUDABLE DELAY**

The Court has considered the parties' stipulation to continue and for a finding that the time period from December 12, 2023 to January 23, 2024, qualifies as excludable delay under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(a) and 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by granting the parties' requested continuance outweigh the best interests of the public and the defendant in a speedy trial and that this time period qualifies as excludable delay under § 3161(h)(7).

**IT IS THEREFORE ORDERED** that the dates and deadlines set forth in the Stipulation and Order to Continue (ECF No. 12) *shall* be extended as follows:

Motion Cutoff	December 11, 2023
Plea Cutoff	January 5, 2024

Final Pretrial Conference	January 5, 2024 at 3:00 p.m.
Trial Date	January 23, 2024 at 8:30 a.m.

**IT IS FURTHER ORDERED** that the time period from December 12, 2023 to January 23, 2024, qualifies as excludable delay under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(a) and 3161(h)(7)(B)(iv).

**SO ORDERED.**

Dated: November 17, 2023

s/Laurie J. Michelson  
LAURIE J. MICHELSON  
UNITED STATES DISTRICT JUDGE